

MEGIC-00-001



November 29, 2001

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To: Commissioner of Patents and Trademarks

Washington, D.C. 20231

Attn: Art Unit 2841 - H. Bui

From: George O. Saile, Reg. No. 19,572

20 McIntosh Drive

Poughkeepsie, N. Y., 12603

Subject: | Serial No.: 09/684,519 10/10/00 |

J.Y. Lee

A THERMALLY COMPLIANT PCB SUBSTRATE
FOR THE APPLICATION OF CHIP SCALE
PACKAGES

| _ Art Group: 2841 H. Bui _ |

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Restriction or Election Requirement in the Office Action dated 11/09/01. In that Office Action, restriction was required to one of two stated

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on , 2001.

Stephen B. Ackerman, Reg.# 37761

Signature/Date SB 12/5/01

Inventions under 35 U.S.C. 121. The Inventions stated are Group I - Claims 1-34, 69 and 70 to a process, classified in Class 29, subclass 840 and Group II-Claims 35-68, 71-72 to a structure providing thermal stress relieve for packages, classified in Class 361, subclass 783.

Applicant provisionally elects to be examined the Invention described by the Examiner as Group I - Claims 1-34, 69 and 70 drawn to a process classified in Class 29, subclass 840. This election is made with traverse of the requirement under 37 C.F.R.1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Restriction given in the Office Action. The Examiner gives the reason for the distinctness of the two inventions as (1) that the process as claimed can be used to make other and materially different products or (2) that the product as claimed can be made by another and materially different process (MPEP 806.05(f)). However, upon reading the product Claims against the process Claims one can readily see that the product Claims are directed to "a structure for providing thermal stress relieve for packages that are used for the mounting of semiconductor devices" and the process Claims are directed to "a method of providing thermal stress relieve for packages that are used for the mounting of semiconductor devices", it is necessary to obtain claims in

both the product and method claim language. The method Claims necessarily use the product and vice versa. The field of search must necessarily cover both the method class/subclass 29/840 and products class 361/783 in addition to other related Classes and subclasses to provide a complete and adequate search. The fields of search for the Group I and Group II inventions are clearly and necessarily co-extensive. The Examiner's suggestion that "the product as claimed can be made by another and materially different process (MPEP 806.05(f)). In the instant case the method of providing thermal stress relieve for packages can be made by a coating or polishing process", is very speculative and really has nothing to do with the Claims as presented in this Patent Application. Further, it is respectfully suggested that these reasons are insufficient to place the additional cost of a second Patent Application upon the Applicants. Therefore, it is respectfully requested that the Examiner withdraw this restriction requirement for these reasons.

Withdrawal of the Restriction Requirement and the Allowance of the present Patent Application is requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'John B. Ackerman', with a stylized, cursive script.

John B. Ackerman, Reg.# 37761